

SOUTH CAROLINA PUBLIC SERVICE COMMISSION

STANDING HEARING OFFICER DIRECTIVE

DOCKET NOS. 2004-73-T and 2016-61-T ORDER NO. 2016-35-H

APRIL 13, 2016

Standing Hearing Officer: David Butler

DOCKET DESCRIPTION:

Application of Minute Man Movers, LLC for Class E (Household Goods) Certificate of Public Convenience and Necessity for Operation of Motor Vehicle Carrier

Application of Minute Man Movers, LLC for a Rate Increase and to Amend Scope of Authority to Statewide

MATTER UNDER CONSIDERATION:

Request to be allowed to take telephone deposition of a shipper witness and other requests

STANDING HEARING OFFICER'S ACTION:

The Applicant Minute Man Movers, LLC requests approval to take the telephone deposition of Gregg Johnson, a shipper witness, on April 18, 2016, at a time to be agreed upon by the parties. Also, the Applicant requests to file the deposition in lieu of pre-filed testimony. Requests granted. The Office of Regulatory Staff does not oppose the requests.

Taking the deposition of shipper witnesses in a Class E Household Goods case has been a common and useful practice in such matters before the Commission. A deposition saves time and the expense of presenting a live shipper witness in hearings, such shipper witness being required in Class E Household Goods cases under 10 S.C. Code Ann. Regs. Section 103-133.1 to show the public convenience and necessity criterion of proof. In this case, the request to take the deposition of a shipper witness for subsequent use in the hearing is certainly meritorious under 10 S.C. Code Ann. Regs. 103-834, and therefore the request to take the deposition is granted. Said deposition of Gregg Johnson shall be taken by telephone on April 18, 2016 at such time as may be agreed upon by the parties. Such witness shall testify regarding the question of whether there is a demand for household goods moving services that is not currently being met, and on any other relevant matters to the case as may be agreed upon by the parties. The deposition may take the place of a live shipper witness at the hearing on the request for a Class E Household Goods Certificate. Also, the deposition transcript may be filed in lieu of pre-filed testimony in this Docket.